

REMARKS

Applicant respectfully requests the Examiner to reconsider and withdraw the objection to the disclosure in light of the above corrective amendments to specification page 5.

Applicant respectfully requests the Examiner to reconsider and withdraw the various objections to the drawings, in view of the enclosed replacement formal drawing sheets 1/3, 2/3 and 3/3, in which Figs. 1B, 2, 3, 4 and 5 have been amended to overcome the Examiner's objections. (In this regard, note that claim 5 (directed to the Fig. 5 embodiment) has been canceled.) Also, Fig. 4 illustrates the "asymmetrical structure" of the present invention, as compared to the symmetrical structures shown in the prior art Figs. 2 and 3. If the drawings have not been amended to the Examiner's satisfaction, it is respectfully requested that the Examiner **call the undersigned attorney** to discuss any additional amendments which the Examiner feels are appropriate.

Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 1-8 under 35 U.S.C. § 112, first paragraph, in view of the above cancellation (without prejudice) of claim 5 (directed to the Fig. 5 embodiment), and of the amendments to claim 1 (the Examiner correctly describes the operation of the Fig. 4 embodiment to which all the presently pending claims 1-4 and 6-8 are directed).

Applicant respectfully traverses the rejection of claims 1, 2 and 6 under 35 U.S.C. § 102(b) as being anticipated by Weigand '580, the rejection of claims 1, 2 and 6 under 35 U.S.C. § 102(b) as being anticipated by Huttner '713, and the rejection of claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Huttner in view of Kim '491.

N.B. Since claims 3 (3/1) and 4 (4/1) were rejected under only 35 U.S.C. § 101 and not on any prior art, and since the above amendments to claim 1 (and the cancellation without prejudice of claim 5) overcomes the rejection under 35 U.S.C. § 101, Applicant respectfully submits that dependent claims 3 and 4 would be **allowable** if rewritten in independent form; however, Applicant respectfully requests the Examiner to hold in abeyance any such rewriting of claims 3 and 4, until the Examiner has had an opportunity to reconsider (and withdraw) the prior art rejections of independent parent claim 1.

For a valid rejection under 35 U.S.C. § 102(b), the applied reference must disclose, either expressly or inherently, each limitation of the rejected claim, or in other words, each rejected claim must be readable on the disclosure of the reference. Applicant respectfully submits that clearly such is **not** the case here with respect to claims 1, 2 and 6 and the disclosures of Weigand '580 and Huttner '713.

First, Applicant notes that the amended claim 1 explicitly requires that both of the two identical electrical components simultaneously are in one state or the other, (i.e., "said open circuit or said short circuit"), and that the components are controlled by the same (a common) "command" (signal) V, thereby explicitly defining a structure which is different from the prior art devices requiring complementary command signals.

Applicant respectfully submits that Weigand and Huttner disclose nothing more than the prior art which already is acknowledged in Applicant's specification at pages 1-3, and which has the same drawbacks as described in Applicant's specification.

A remarkable, novel and unobvious feature of Applicant's invention (as defined in claim 1) is that there is always a conducting path even if there is a failure in (absence of) the "command" signal. There is **no** default position in the invention defined in claim 1, which is **contrary** to Weigand's teaching and specification at column 1, lines 21-29.

In Huttner's Figs. 2 and 3, the shunt diodes 48 or FET switches B are in opposite states (open circuit and closed circuit), rather than simultaneously in the **same** state as **required by Applicant's independent parent claim 1**.

Therefore, since claims 1, 3 and 6 are not readable on the disclosure of either Weigand or Huttner, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections of claims 1, 2 and 6 under 35 U.S.C. § 102(b) as being anticipated by Weigand or Huttner.

As for the rejection of claims 7 and 8, since Applicant has pointed out the deficiency in Huttner's disclosure with respect to parent claim 1, and since Kim '491 does not compensate for this deficiency, Applicant respectfully submits that the Examiner has not made out a *prima facie* case of obviousness of the subject matter of each of the dependent claims 7 and 8. In other words, even if a person of ordinary skill in the art were to modify Huttner's switch with the N-way divider/combiner of Kim, there would not be produced the systems of claim 7 (7/1) and 8 (8/7/1), or systems which would have rendered obvious the subject matter of claims 7 and 8.

Therefore, Applicant also respectfully requests the Examiner to reconsider and withdraw the rejection of claims 7 and 8 under 35 U.S.C. § 103(a).

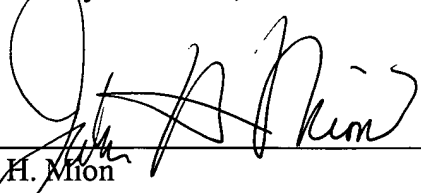
In summary, then, and in view of the above amendments, comments and analyses, Applicant respectfully requests the Examiner to reconsider and withdraw the objections to the

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specification and claims, the objections to the drawings, and the rejections under 35 U.S.C. § 112, first paragraph, 102(b) and 103(a), and to find the application to be in condition for allowance with **claims 1-4 and 6-8**; however, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

Filed concurrently herewith is a Petition (with fee) for an Extension of Time of two months. Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,



John H. Mion
Registration No. 18,879

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
(202) 663-7901

ASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 21, 2005

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AMENDMENTS TO THE DRAWINGS

Figs. 1B, 2, 3, 4 and 5 have been amended to overcome the Examiner's objections.

Attachment: Replacement Sheets 1/3, 2/3/ and 3/3